

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Hon. Paul L. Maloney

v.

Case No. 1:24-cr-00162

FORTINO GARCIA-VASQUEZ,

Defendant.

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**REPORT AND RECOMMENDATION**

Pursuant to W.D. MICH. L.CR.R. 11.1, I conducted a plea hearing in the captioned case on February 6, 2025, after receiving the written consent of defendant and all counsel. There is no plea agreement. At the hearing, defendant Fortino Garcia-Vasquez, entered a plea of guilty to the Indictment. In the Indictment, defendant is charged with alien felon reentry, in violation of 8 U.S.C. §§ 1326(a) and 1326(b)(1).

On the basis of the record made at the hearing, I find that defendant is fully capable and competent to enter an informed plea; that the plea is made knowingly and with full understanding of each of the rights waived by defendant; that it is made voluntarily and free from any force, threats, or promises, apart from the promises in the plea agreement; that the defendant understands the nature of the charge and penalties provided by law; and that the plea has a sufficient basis in fact.

Accordingly, I recommend that defendant's plea of guilty to the Indictment be accepted, that the court adjudicate defendant guilty. Acceptance of the plea, adjudication of guilt, and imposition of sentence are specifically reserved for the district judge.

Date: February 6, 2025

/s/ Phillip J. Green  
PHILLIP J. GREEN  
United States Magistrate Judge

**NOTICE TO PARTIES**

You have the right to de novo review of the foregoing findings by the district judge. Any application for review must be in writing, must specify the portions of the findings or proceedings objected to, and must be filed and served no later than fourteen days after service of this report and recommendation. *See* W.D. MICH. L.CR.R. 11.1(d).